IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2387 OF 2005

Mohammad Rabani & Anr. . .. Petitioners.

vs.

Halima Banu Gaus. .. Respondents.

Mr. Abhay D. Thorat for petitioners.

Mrs. Apurva Parlekar for respondent.

CORAM : S.U. KAMDAR, J.

DATE : 1st December, 2005.

P.C.:

. The present petition is filed challenging the order dated 18.2.2005 passed by the Family Court. Under the impugned order, the Family Court has restrained the petitioner no. 1 being the husband of the respondent from entering the house in light of the violent antecedents of the petitioner no. 1. There are police complaints alleging the violent behaviour of the petitioner no. 1. In so far as the petitioner no. 2 is concerned, he is claiming that the house belongs to him and as such, the respondent should not be permitted to remain in the said matrimonial house. Admittedly the

respondent was residing in the matrimonial house which has been surrendered and in view thereof, the present house has been allotted as matrimonial house. In that light of the matter, the order impugned herein does not require interference. The petition is accordingly dismissed. No order as to costs.